



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/018,609
Applicant : Ernst Rytz
Filed : 02/11/2002
TC/A.U. : 3724
Examiner : Boyer Dolinger Ashley

Confirmation No. 5092

Docket No. : 01-732
Customer No. : 34704

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This paper is submitted responsive to the official action mailed February 11, 2004 and having a shortened statutory period for response set to expire on March 11, 2004, said period having been extended in accordance with the accompanying request for extension of time so as to expire on April 11, 2004.

In the aforesaid action, the examiner enters a restriction requirement under PCT Rule 13.1, and requires election of a single invention of five groups identified in the action. Responsive to this requirement, applicant provisionally, and with traverse, elects group II drawn to dependant claims 3 and 4.

Reconsideration of this requirement is respectfully requested.

PCT Rule 13.1 sets forth, as indicated by the examiner, that the international application shall relate to one invention only, or to groups of inventions so linked as to form a single general inventive concept. As set forth in Rule 13.2, this requirement is considered fulfilled when there is a technical relationship among the various different "inventions" involving one or more of the same or corresponding special technical features. Rule 13.4 sets forth

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that subject to Rule 13.1, it is permitted to include in the same international application a reasonable number of dependant claims claiming specific forms of the invention claimed in the independent claim. This is permitted even if the features of any dependant claim could be considered as constituting in themselves an invention.

Turning to the pending claims, it is respectfully submitted that these claims are clearly all drawn to one or more of the same or corresponding special technical features as set forth in Rule 13.2. Thus, it is respectfully submitted that these claims are not properly subjected to a restriction requirement, and reconsideration and withdrawal of this requirement is therefore respectfully solicited.

Claim 1 sets forth the general elements of the apparatus being claimed, including the limitation that the ram (7) is supported against at least one compensation cylinder (22). Dependant claim 2, which the examiner has identified as a separate invention, merely sets forth that the "at least one compensation cylinder" is "four compensation cylinders". Clearly, the subject matter of claim 2 is drawn to the same special technical features as that set forth in claim 1.

The examiner identifies claims 3 and 4 as drawn to a further separate invention. Claims 3 and 4 are drawn to the structure of the compensation cylinder. Thus, this same compensation cylinder which is recited in claim 1 and refined in claim 2 is the subject of claims 3 and 4. Specifically, claims 3 and 4 set forth that the compensation cylinder contains a piston which is connected to the ram by a piston rod, and further sets for the cross-sectional area of the compensation piston.

Claim 5, said by the examiner to be drawn to a separate invention, merely specifies that the v-ring cylinder recited in claim 1 is connected to a frame of the machine. The structural mounting of an element of claim 1 would also clearly appear to be drawn to the same special technical features which are the subject of this application.

Claims 6 and 7, said by the examiner to be drawn to a separate invention, are drawn to the further element of the invention that the ram of claim 1 is supported against a main cylinder, and sets forth the effective cross-sectional area of the main cylinder. Clearly, this claim too is drawn to the same special technical features which are the thrust of the present application.

Finally, dependant claim 8, is said by the examiner to be drawn to a separate invention, and further specifies a hydraulic connection between the compensation cylinder and v-ring cylinder, and further that the hydraulic connection is connected to an oil tank by a logic valve. The added feature is the hydraulics which are positioned between the compensation cylinder and v-ring cylinder as set forth in claim 1.

It is respectfully urged that the subject matter of each of dependant claims 2-8 are clearly drawn to the same special technical features which are generally set forth in independent claim 1. Based upon the foregoing, these claims are not properly submitted to restriction under PCT Rule 13.1, and reconsideration of this requirement is therefore respectfully requested. Reconsideration of this requirement is further at least partially respectfully requested in that there is absolutely no reason to characterize the subject matter of dependant claim 2 as being a separate invention from generic claim 1, and at worst consideration of claims 1-4 together is therefore respectfully solicited.

It is believed that no additional fee is due in connection with this response. If any fee is due, please charge same to deposit account 02-0184.

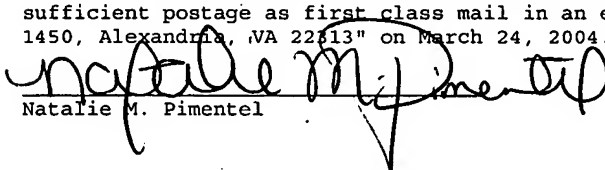
Respectfully submitted,

By 

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March 24, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on March 24, 2004.


Natalie M. Pimentel